

EXHIBIT

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MIKE FAWAZ,
on behalf of himself
and others similarly situated,
Plaintiff,

Case No. 2:17-CV-12068
Hon. David M. Lawson

v.
ABCDE OPERATING, L.L.C.,
d/b/a **"THE PENTHOUSE CLUB",**
and **ALAN MARKOVITZ,**
Defendants.

GOLD STAR LAW, P.C.
Caitlin E. Malhiot (P76606)
David A. Hardesty (P38609)
Maia Johnson Braun (P40533)
Attorneys for Plaintiff
2701 Troy Center Dr., Ste. 400
Troy, Michigan 48084
(248) 275-5200

ANDREW BEAN, P.C.
Andrew Bean (P42941)
Attorney for Defendants
12001 Levon Rd.
Livonia, MI 48150
(248) 539-9430

WARNER NORCROSS & JUDD LLP
Amanda M. Fielder (P70180)
Allyson R. Terpsma (P78553)
Attorneys for Defendants
900 Fifth Third Center
111 Lyon Street N.W.
Grand Rapids, MI 49503
(616) 752-2000

DECLARATION OF MIKE FAWAZ

In accordance with 28 U.S.C. 1746, Mike Fawaz declares the following:

1. I am the Plaintiff in this matter.
2. Prior to agreeing to the settlement reached in this case my attorneys informed me that there were disputed issues regarding whether I would be entitled to receive liquidated damages, whether a two- or three-year statute of limitations

would apply, and regarding the number of overtime hours for which I could receive compensation should the case proceed to trial.

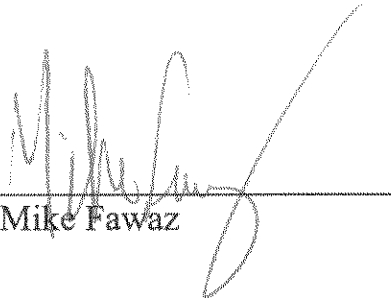
3. I am aware and understand that, should the case proceed to trial, I could recover more than the amount of the settlement, less than that amount or the same amount.

4. I am satisfied that, given the disputes stated above, the settlement which was reached is a fair and acceptable resolution of the case.

5. I am aware of the fact that my attorneys will receive 1/3 of the amount of the gross settlement as attorney fees, which is in accord with the retainer agreement which I signed.

6. I am also aware that the amount of costs which were paid by my attorneys is to be deducted from the net amount of the settlement I am to receive, which is again in accord with the retainer agreement which I signed.

I declare under penalty of perjury that the foregoing is true and correct.


Mike Fawaz

Dated: December 12, 2017